

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

CITY OF CHARLESTON,

Plaintiff,

v.

BRABHAM OIL COMPANY, INC.;
COLONIAL GROUP, INC.; ENMARK
STATIONS, INC.; COLONIAL
PIPELINE COMPANY; PIEDMONT
PETROLEUM CORP.; EXXON MOBIL
CORPORATION; EXXONMOBIL OIL
CORPORATION; ROYAL DUTCH
SHELL PLC; SHELL OIL COMPANY;
SHELL OIL PRODUCTS COMPANY
LLC; CHEVRON CORPORATION;
CHEVRON U.S.A. INC.; BP P.L.C.; BP
AMERICA INC.; MARATHON
PETROLEUM CORPORATION;
MARATHON PETROLEUM
COMPANY LP; SPEEDWAY LLC;
MURPHY OIL CORPORATION;
MURPHY OIL USA, INC.; HESS
CORPORATION; CONOCOPHILLIPS;
CONOCOPHILLIPS COMPANY;
PHILLIPS 66; AND PHILLIPS 66
COMPANY,

Defendants.

C/A No. 2:20-cv-03579-BHH

**DECLARATION OF JOSEPH P. GRIFFITH, JR. IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS' MOTION TO STAY PROCEEDINGS**

I, Joseph P. Griffith, Jr., declare as follows:

1. I am an attorney admitted to practice law before all courts of the State of South Carolina. I am a Member at Joe Griffith Law Firm, LLC, attorney for Plaintiff the City of Charleston. I submit this Declaration in support of Plaintiff's Opposition to Defendants' Motion to Stay Proceedings, filed concurrently herewith. I have personal knowledge of the facts set forth below, and if called upon to testify, I could and would competently testify to them.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Fourth Circuit Court of Appeals' October 1, 2019 Order denying a motion to stay in *Mayor and City Council of Baltimore v. BP P.L.C.*, 4th Cir. Case No. 19-1644.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the Fourth Circuit Court of Appeals' Mandate issued on March 30, 2020, in *Mayor and City Council of Baltimore v. BP P.L.C.*, 4th Cir. Case No. 19-1644.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the Petition for a Writ of Certiorari to the United States Supreme Court filed on March 31, 2020, in *BP P.L.C. v. Mayor and City Council of Baltimore*, U.S. Case No. 19-1189.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the Brief for the Petitioners filed on November 16, 2020, in *BP P.L.C. v. Mayor and City Council of Baltimore*, U.S. Case No. 19-1189.

6. Attached hereto as **Exhibit 5** is a true and correct copy of the U.S.D.C., District of Hawai'i's August 21, 2020, Order lifting the litigation stay in *City & County of Honolulu v. Sunoco LP*, D. Haw. Case No. 20-cv-00163-DKW-RT, Dkt. No. 111.

7. Attached hereto as **Exhibit 6** is a true and correct copy of the U.S.D.C., District of Hawai'i's Order Denying Defendants' Request for Reconsideration of Stay, issued on September

9, 2020, in *City & County of Honolulu v. Sunoco LP*, D. Haw. Case No. 20-cv-00163-DKW-RT, Dkt. No. 115.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Dated: December 8, 2020

By: /s/ Joseph P. Griffith, Jr.

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